THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.27286 of 2005

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Dated:27.12.2005

Between:

Chinthanippu Narasaiah, S/o.Chennaiah,
R/o.Musalimadugu village, VVyra Mandal Khammam district, and

others.

..... PETITIONERS

AND

The Government of A.P., rep.by its Secretary (Revenue) Secretariat,

Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.27286 of 2005

ORDER:

The five petitioners are residents of Musalimadugu Village, Wyra Mandal, Khammam District. Aggrieved by the notice, dated 18.10.2005 issued by the fourth respondent, they filed the instant writ petition seeking appropriate order declaring the said notice as illegal and arbitrary.

Be it noted that by the impugned notice, the petitioners were asked to give consent letters for acquiring their lands for providing house sites to the victims of flood due to over flow of Wyra Project. It is the case of the petitioners that after receiving the notices, they have already submitted their letters expressing their unwillingness, and in spite of that, the respondents are finalizing the proposals.

After getting instructions in the matter, the learned Assistant Government Pleader for Revenue (Land Acquisition) submits that a preliminary survey was conducted and all the owners of the lands like the petitioners were requested to give consent for the acquisition. If the petitioners are not willing to give consent, the proceedings under the Land Acquisition Act, 1894, would be initiated and the lands

of the petitioners will be acquired in accordance with law.

In view of the submission made by the learned Assistant Government Pleader, the petitioners have no cause of action, and the writ petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

27.12.2005

vs